

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
0166

In Re Application Of: Martin Brady

APR 04 2005

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/228,109	01/11/1999	Jason D. Proffitt	TRADEMARK 026366	3724	7301

Invention: HOUSEHOLD KITCHEN OPENING APPLIANCE

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of
Sept. 22, 2004 in the above-identified application.

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated Sept. 22, 2004 finally rejecting Claim(s) 3, 4, 7, 8 and 10-15.

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month Two months Three months Four months Five months

from: **December 22, 2004** until: **March 22, 2005**

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$500.00

Fee for Extension of Time: \$1,020.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$1,520.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of . \$1,520.00 for the Notice of Appeal and extension of time is enclosed.

Please charge Deposit Account No. in the amount of

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 04-2221
04/05/2005 AWONDAF1 00000043 09228109

Any additional filing fees required under 37 C.F.R. 1.16. 01 FC:1401 500.00 OP

Any patent application processing fees under 37 CFR 1.172 FC:1253 1020.00 OP

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 04-2221 .

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Invention: **HOUSEHOLD KITCHEN OPENING APPLIANCE**

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:


Roger S. Dybvig
Signature

Dated: March 22, 2005

Roger S. Dybvig
Registration No. 19, 319
22 Green Street
Dayton, Ohio 45402
(937) 461-1142

Certificate of Transmission by Facsimile*

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Marilyn GIBAS
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on

March 22, 2005
(Date)

Marilyn GIBAS
Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence
MARYLYN GIBAS

CC: